No. 1895/II-B—69-1948

FROM

SRI GOVIND NARAIN, I. C. S.
MUKHYA SACHIV,
UTTAR PRADESH SHASAN.

To,

ALL HEADS OF DEPARTMENTS AND
PRINCIPAL HEADS OF OFFICES, UTTAR PRADESH.

Dated Lucknow, December 28, 1959

Subject : **Grant of Integrity Certificate**

SIR,

APPOINTMENT (B) DEPARTMENT.

I AM directed to address you on the subject of issue of integrity certificate. Instructions on the question were issued in Appointment (B) Department G. O. S. no. 2327 II-B—69-48, dated July 24, 1948, no. O-2851/II-B—69-48, dated October 5, 1949, no. 60/II-B—69-1952, dated. June 24, 1958 and no. 1063/II—B-69-48, dated October 29, 1958, as also no. O—305/II/B-1953, dated January 30, 1953, Government have however, noticed that the position with regard to the grant of integrity certificate is still unsatisfactory which obviously, in large measure, is due to a lack of clear appreciation among the certifying authorities about the precise significance of these certificates and also about their own responsibility in the matter of granting or withholding them Government would like to emphasise once again that the granting or withholding of these certificates should be an important aid in the drive for rooting out corruption from the services. It has been found that in quite a number of cases these certificates are given where the same should not have been granted. Cases in which integrity certificates have been withheld are proportionately very much smaller. There is a feeling that in a large number of cases certificates are still being issued in a routine manner and at times the integrity of the officers who have been notorious for their lack of integrity has been certified. The good or bad repute of the Government servant is a matter which can be kept constantly in view if not by itself, certainly in connection with other known circumstances relating to their work and conduct. Such reputation affords valuable guidance in determining their worth. According to the existing instructions on the subject, it has been provided that integrity certificate based on reputation should form an integral part of the annual confidential report on the work and conduct of the government servant. Government expects the Heads of Departments and Principal Heads of Offices to act vigorously and perseveringly for the eradication of corruption. Accordingly the granting of integrity certificate should be taken by them as one of their important functions to which sufficient thought should be given and which should be discharged with great care. There should be no disposition to deal with it in a casual or mechanical fashion. If proper weight is attached to reputation, there are bound to be a number of cases in which the annual integrity certificates should be withheld. The prescribed form of integrity certificates made it impossible for the reporting officer to give the certificate if the reputation of the government servant concerned regarding his integrity is bad. In future, therefore, superior officers should attach due and proper weight to the reputation of their subordinates when deciding about the granting or withholding of these integrity certificates.

2. With a view to ensure that integrity certificates are granted only in cases where there is no doubt about the integrity of the officer concerned and also to indicate the consequences which would ensue in cases where integrity certificates are withheld on reasonable grounds, I am to convey again the following instructions and orders ;

(1) The form in which the integrity certificate is to be recorded will be as follows:

"Nothing has come to my knowledge which casts any reflection on the integrity of.....His general reputation for honesty is good and I certify his integrity."

(2) All certifying officers, should give the most careful attention to the granting or withholding of these certificates and treat it as a serious and important matter. No certificates should be given unless the certifying officer is satisfied without reservation about the integrity of the officer concerned. To enable certifying officers to discharge their responsibilities the following suggestions are made :

(*a*) In respect of each subordinate officer of gazetted rank and belonging to the upper subordinate service in whose case an integrity certificate is to be recorded, the certifying officer should keep a secret record in which he should note down from time to time any facts of circumstances which come to his knowledge concerning the integrity of the subordinate.

(*b*) On each such occasion the certifying officer should exercise his judgment as to whether the facts or circumstances which have come to his notice amount to either—

(i) a definite fact susceptible of formal proof, or

(ii) a mere vague allegation not susceptible of formal proof but still creating doubt or suspicion.

In the former case, he should make a proper enquiry and if the officer is found at fault, regular departmental action can be taken. In the latter case, the subordinate concerned should be faced with allegations or circumstances which have come to the notice of the reporting officer.

(*c*) If the subordinate clears up his position the matter need not be pursued further and a note should be made in the record to the effect that the subordinate concerned was able to clear his position. If on the other hand his explanation is not considered satisfactory and yet the point is not one on which the certifying officer think that proof would be available, he should utilise this as a fact or circumstance which came to his knowledge and the effect of which would create doubt about the integrity of the officer concerned which would justify him in withholding the integrity certificate.

(*d*) There are cases in which sometimes goverrnment servants are found living beyond their means. Superior officers should keep a general watch over the standard of living of their subordinates and wherever evidence is forthcoming that a particular subordinate is living beyond his means he should be asked to explain how he is in a position to do so. Unless the superior officer is satisfied with the explanation, he should withhold the integrity certificate of the subordinate concerned.

(3) In cases where the integrity of an officer is the subject-matter of an enquiry, the certifying officer should, instead of granting or withholding the integrity certificate straight away, mearly mention facts having a bearing on the integrity of the government servant concerned and add that they are the subject-matter of an enquiry. After the completion of the enquiry, the integrity certificate should be granted or withheld depending up on the result of the enquiry.

(4) If on two occasions the integrity certificate of an officer is withheld the a should be referred to the Administrative Tribunal in accordance with the rules pe cribed for that purpose.

(5) In all cases where the integrity certificate is withheld the officer concerned would be stopped at the efficiency bar or would have his annual increment stopped until h gets the integrity certificate again. If the officer is a probationer he will not be con firmed until his integrity has been certified.

In cases covered by paragraph 2(3) above, it will be proper not to issue orders regarding the crossing of the efficiency-bar, confirmation or any increment until the enquiry contemplated in the paragraph is completed. In the case of the probation, pending enquiry the period of probation should be suitably extended in time.

(6) According to both the All-India Service Conduct Rules and the U. P. Government Servants Conduct Rules, every government servant is required to make a declaration of all immovable property in India from time to time held or acquired by him or by his wife or by any member of his family living with, or in any way dependent upon him. Such reports should be made whenever any property is acquired. In addition government servants whose increments have been stopped on the ground that their integrity certificate has been withheld should be specifically asked every six months after the passing of the orders of withholding of increment whether they or any members of their family living or dependent upon them have acquired any property during the preceding six months and the replies received should be put for such further scrutiny as may be considered necessary in each individual case and the result communicated to Government through the prescribed channel.

Yours faithfully,
GOVIND NARAIN,
Mukhya Sachiv.

No. 1895(1)/II-B—69-1948 of date

Copy forwarded for information to—

(i) all departments of the Secretarial except General Administration Department.
(ii) General Administation Department with the request that necessary amendment in paragraph 30 of the Manual of Government Orders may be made ;
(iii) the Secretary to the Governor ;
(iv) the Secretary, Public Service Commission, and
(v) the Registrar, High Court, Allahabad.

By order.
P. C. PANDE,
Up Sachiv.

PSUP—A. P. 21 Sa. Neyukti—16-7-79—(1208)—1979—8,500 (E).